

**ALBANY COMMON COUNCIL
MINUTES OF A SPECIAL MEETING**

Wednesday, November 28, 2007

The Common Council was convened at 7:00 p.m. and was called to order by Council President Morris.

The roll being called, the following answered to their names: Council Members Calsolaro, Casey, Conti, Ellis, Fahey, Fox, Herring, Igoe, McLaughlin, O'Brien, Rosenzweig, Sano, Scalzo, Smith and Timmons.

Also present was the following staff: John Marsolais, Patrick Jordan, Barbara Samel and Cashawna Parker.

Council President McLaughlin led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

Council President Morris noted that public comment at a special meeting of the Council was limited to items on the agenda for consideration that evening.

- 1) Anton Konev, 212 Schoolhouse Road, Albany, NY 12203

There being no further speakers, the President declared the Public Comment Period closed.

Council Member Conti made a motion to waive the rules and to allow for the Consideration of Resolutions as the first item of business, which was approved by unanimous voice vote.

CONSIDERATION OF RESOLUTIONS

Council Member Conti asked and received majority consent to add Resolution Number 76.113.07R, which was approved by unanimous voice vote.

Council Member Conti offered the following, asked for passage and a roll call vote thereon:

Resolution Number 76.113.07R (MC)

RESOLUTION OF THE COMMON COUNCIL OUTLINING ITS ACTIONS AND EXPRESSING ITS FINDINGS AND INTENT WITH REGARD TO ADOPTION OF THE FISCAL YEAR 2008 CITY OF ALBANY BUDGET AS PROPOSED IN ORDINANCE 73.101.07 (AS AMENDED) ENTITLED: "AN ORDINANCE ADOPTING THE BUDGET AS PROPOSED BY THE MAYOR ON SEPTEMBER 28, 2007, FOR FISCAL YEAR 2008"

WHEREAS on September 28, 2007 the Common Council received the proposed budget for the City of Albany for fiscal year 2008; and

WHEREAS subsequent to receipt of such budget, the Common Council engaged in an extensive review of the proposal which included meeting with department heads, holding two public hearings, discussion of the city's financial status and identification of budget priorities; and

WHEREAS as a result of this process the Council has adopted Ordinance Number 73.101.07 (as amended) which adopts the fiscal year 2008 City of Albany budget with revisions;

NOW, THEREFORE, BE IT RESOLVED that the Common Council does adopt the following statement outlining its actions and expressing its findings and intent with regard to adoption of the fiscal year 2008 City of Albany budget:

2008 City of Albany Budget Statement of Common Council Actions, Findings and Intent

The Common Council has completed its review of the proposed 2008 City of Albany budget. This statement summarizes the Council's actions, findings and intent with regard to adoption of Ordinance 73.101.07 as amended.

Overview

In adopting the revised budget, the Council identified expenditure reductions of approximately \$40,000, enhanced net revenues of approximately \$100,000 and expenditure increases of approximately \$25,000. These actions result in a net positive impact of approximately \$115,000 which should be used as an offset to reduce the amount of transfers from the fund balance to support this year's operating expenses.

Common Council

The overall proposed 2008 budget includes a four percent COLA for non-unionized City employees and the elective positions of Mayor, Comptroller and Treasurer. The Council chooses not to apply this adjustment to its own budget for Council Members, this reflects a cost avoidance of approximately \$13,625. The amended budget does, however, make this adjustment for the three staff positions within the Council budget. A further adjustment is made for the position of Legislative Aide, and the salary line for part-time Legislative Aide is set to reflect half the full-time position. The salary line for the part-time position, which has remained vacant, has not been adjusted in previous years. It is the Council's intent to fill this position in 2008 to accommodate increased work-load demands.

The Council budget is further adjusted to reflect the elimination of \$40,000 in funding previously allocated for modernization of the sound system within the Common Council Chamber. A successful bid was accepted during the course of 2007, at a cost of approximately \$12,000 that will accomplish the purpose of the original appropriation. Modernization of the sound system will allow the Council to better and more frequently utilize the chamber for committee meetings and other activities. In addition, modernization of the sound system will also benefit the other public bodies that utilize the chamber including the Board of Zoning Appeals, Planning Board and Historic Resources Commission.

Finally, the Council budget reflects adjustments in the area of employee benefits to more accurately reflect anticipated expenditures.

Administrative Services

The Council increases funding for the Human Rights Commission by \$2,500 to provide enhanced resources for Board member training. This reflects the Board's desire to take on a more active role and the Council's commitment to the Commission's mission.

Department of General Services

The Council increases requested funding for recycling education within the DGS budget from \$2,000 to \$18,000.

Parking Fines

The Council has identified \$700,000 in additional revenue related to parking fines. As part of the FY2007-08 State Budget, the State Legislature amended the NYS Vehicle and Traffic Law to provide effective January 1, 2008 that most municipalities, including Albany, which are required to collect a mandated \$15 State surcharge on parking violation tickets be allowed to keep the full amount of revenue rather than remitting half to the State. This will result in additional revenue of approximately \$450,000 for the City of Albany not reflected in the proposed budget. Additionally, it is the Council's intent to approve a parking fine amnesty program for the penalty on certain outstanding parking fines. The details and period for which the amnesty will apply will be developed and adopted during the course of 2008, however, it is anticipated that the amnesty will generate additional revenue of approximately \$250,000. Of the enhanced revenue, \$600,000 is used to offset the Council's denial of the proposed 25 percent increase in parking violation fines.

In addition to these actions, the Council also supports adoption of a new parking violation fine of \$100 for blocking ADA accessible cross-walk ramps and directs the City Treasurer to post on the City website, on a weekly, basis the identity of the top parking violation scofflaws. At this time, the Council is unable to attribute enhanced revenue for these actions, any of which would offset the need for transfers from the fund balance.

Youth Services Initiatives

As part of the 2007 budget the Council allocated an additional \$25,000 to support new or expanded youth services programs. The proposed budget continues this allocation for 2008. It is the Council's recommendation and direction that the unexpended portion of 2007 funds be allocated as soon as possible to support expanded operating hours, including weekends, for existing teen centers.

The Council is committed to assuring the availability of adequate recreational, social and after school programs for our community's youth. Our youth and families are our city's most valuable resource yet it is a resource that has suffered far too often from neglect and inadequate civic supports. Evidence of this is the ever increasing number of incidents of violence among our youth both in our public schools and on our streets as well as our unacceptably high drop out rate. The need for comprehensive and accessible youth and family services in our most distressed neighborhoods is critical and it is our government's responsibility to address the problem. While the 2008 budget has little room for any new initiatives, it is of the utmost importance that this be a major priority in any future budget planning.

Enhanced Code Enforcement

Neighborhood revitalization and enhanced quality of life is best safeguarded through the dedication of adequate resources to assure compliance with city codes and to deal with the detrimental impact of abandoned and vacant buildings on neighborhoods. The Council acknowledges the recently announced "Block-by-Block" initiative. The Council restates its belief that dedicated legal resources within the Law Department are an important component of any quality of life initiative. The Council therefore restates its recommendation that one of the Assistant Corporation Counsel positions within the Law Department be dedicated to code enforcement and vacant building related issues.

Long Term Challenges

As we conclude our review, the Council wishes to restate our past concerns regarding the long term fiscal and structural challenges before us. The Council recognizes and expresses its concern that this budget includes a \$9 million expenditure deficit closed with one-time non-recurring funds. While issues cannot be adequately addressed in the context of the immediate proposal, we believe it important to begin laying the groundwork for future financial stability now.

We see the following challenges:

- increasing employee health and benefit expenses that must be addressed in a mutually cooperative effort with all stakeholders at the table;
- declines in state aid revenue, in particular the scheduled annual reduction in 19-a payments;
- an increasing capital debt burden with limited ability to move capital expenditures to the operating portion of the budget;
- the future uncertainty of the landfill, including alternative sites, as a source of general fund revenues;
- the need for strengthened cost controls to maintain expenditures within adopted budget appropriations.

Addressing these challenges must be part of a cooperative effort. The Council is committed to being a part of that process. All of us in city government share the same goals: stable finances, a level of services necessary to meet public needs, and a minimal tax burden on residents. We need to continue our efforts at economic and neighborhood development that will make Albany a “community of choice” for Capital District residents seeking an optimal quality of life.

The Council acknowledges the Mayor’s letter of November 28, 2007 and its recommendation for establishment of a joint council-administration ad hoc committee to consider ways to deal with future challenges. We agree that addressing these challenges must be part of a cooperative effort that includes the proposed ad hoc committee. The Council is committed to being a part of that process. To that end, we also support establishment of a multi-level task force to examine governmental operations and efficiencies. This would include a review of departmental operations and incentives for efficient fiscal management, potential for a professional management audit of city government or component parts, and potential establishment of a modern budget and financial management capability within city government that can provide effective day-to-day financial management. We believe this task force should be comprised of representatives of the Executive and Legislative branches, as well as the Comptroller’s office.

Conclusion

With adoption of Ordinance 73.101.07 as amended and this resolution, we complete action on the fiscal year 2008 City of Albany budget.

**Note: There was discussion from Council Members Conti, Ellis, O’Brien and Rosenzweig on the budget and the budget process*

Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative -- Calsolaro, Casey, Conti, Ellis, Fahey, Fox, Herring, Igoe, McLaughlin, O'Brien, Rosenzweig, Sano, Scalzo, Smith and Timmons

Affirmative 15 Negative 0 Abstain 0

CONSIDERATION OF ORDINANCES

Council Member Sano moved to amend Ordinance 73.101.07 and, as amended, asked for passage and a roll call thereon as follows:

ORDINANCE NUMBER 73.101.07 (As Amended)

AN ORDINANCE ADOPTING THE BUDGET AS PRESENTED BY THE MAYOR ON SEPTEMBER 28, 2007, WITH AMENDMENTS, FOR FISCAL YEAR 2008.

The City of Albany in Common Council convened, does hereby ordain and enact:

Section 1. The operating budget as presented by the Mayor on September 28, 2007, is hereby adopted as and for the Budget of the City of Albany for fiscal year 2008 with the following amendments.

<u>REDUCED REVENUES</u>	Account #	Amount
Decrease parking fine revenue	A0000.2610	\$ 600,000.00 -----
Subtotal Reduced Revenues		\$ 600,000

<u>ADDITIONAL REVENUE</u>	Account #	Amount
Amnesty Period for Overdue Parking Tickets	A0000.2610	\$ 250,000.00
Increased Parking Ticket Surcharge of \$15	A0000.2612	\$ 450,000.00 -----
Subtotal Additional Revenue		\$ 700,000

<u>ADDITIONS TO EXPENDITURES</u>	Account #	Amount
Increase Research Counsel salary	A1010.7120	\$ 1,391.00
Increase Legislative Aide salary	A1010.7150	\$ 1,587.00
Increase Part-Time Legislative Aide Salary	A1010.7150	\$ 1,895.00
Changes to Social Security Line Items	A1010.7801	\$ 336.00
Changes to Health Insurance Line Item	A1010.7804	\$ 1,618.00
Funding for Human Rights Commission		

Board Training	A8040.7463	\$ 2,500.00
Increase Recycling Education	A8160.7452	\$ 16,000.00

Subtotal Additional Expenditures		\$ 25,327.00
<u>REDUCTIONS TO EXPENDITURES</u>	Account #	Amount
Eliminate funding for sound system in		
Common Council chambers	A1010.7250	\$ 40,000.00

Subtotal Reductions to Expenditures		\$ 40,000.00
NET BUDGETARY EFFECT		\$ 114,673.00

Section 2. It is hereby ordered and directed that the sums set forth therein as expenditures are hereby appropriated in the amounts and for the several departments, offices and purposes specified therein.

Section 3. It is further hereby ordered and directed that the sums set forth therein as revenues and the moneys necessary to be raised by tax in addition thereto to pay the expenses of conducting the business of the City shall be and are hereby applicable in the amounts specified for the purpose of meeting said appropriations.

Section 4. This ordinance shall be effective immediately.

**Note: There was discussion from Council Member Sano, Fahey, Calsolaro, Smith O'Brien and Conti thanking the Finance Committee and Members for the input during the process. There was discussion on debt services and collection and the \$9 million budget gap.*

Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative -- Casey, Fox, Herring, Igoe, O'Brien, Rosenzweig, Sano, Scalzo, and Timmons

Negative -- Calsolaro, Conti, Ellis, Fahey, McLaughlin, and Smith

Affirmative 9 Negative 6 Abstain 0

ADJOURNMENT

A motion was made for adjournment.

Council President Morris stated, hearing no objections, that the Council was adjourned.

A true record of the Common Council Minutes of November 28, 2007.

**CASHAWNA PARKER
LEGISLATIVE AIDE TO THE COMMON COUNCIL**